



Thursday, March 06, 2014

The Austin City Council will convene at 10:00 AM on
Thursday, March 06, 2014 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5

For meeting information, contact the City Clerk, (512) 974-2210

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM – Invocation

Father Wade Russell, Associate Pastor, St. Theresa's Catholic Church

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council work session and discussion meetings of February 25, 2014 and regular meeting of February 27, 2014.

Austin Energy

2. Authorize negotiation and execution of an agreement with Staybridge Suites, to provide a performance-based incentive for the generation of solar energy at its new-construction facility located at 13000 North I-35, Austin, Texas 78753, for an estimated \$12,152 per year, for a total amount not to exceed \$121,520 over a 10-year period.

Austin Water Utility

3. Authorize negotiation and execution of an interlocal agreement with the cities of Round Rock, Leander, and Cedar Park concerning the capacity, operation, maintenance, and improvements to the Southwest Interceptor of the Brushy Creek Regional Wastewater System, and authorize the City's share of funding for capital improvements to portions of the Southwest Interceptor in an amount not to exceed \$1,700,000.

Budget

4. Approve an ordinance establishing the value of the exemption from ad valorem taxes for a portion of the appraised value of residential homesteads owned by individuals who are disabled or are 65 years of age or older.

Contract Management

5. Authorize negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC. for engineering services for additional design phase and construction phase services for Shoal

Creek Greenbelt at Pease Park Water Quality and Stream Restoration (15th to 28th Streets Capital Improvement Project) in the amount of \$86,206, for a total contract amount not to exceed \$1,388,337. Related to Item #6.

(Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 17.45% MBE and 15.27% WBE subconsultant participation to date.)

6. Authorize execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD., for Shoal Creek Restoration Project- 15th to 28th Streets in the amount of \$6,241,721 plus a \$624,172 contingency, for a total contract amount not to exceed \$6,865,893. Related to Item #5.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 91.06% MBE and 6.81% WBE participation.)
7. Authorize negotiation and execution of a construction contract with CHASCO CONSTRUCTORS, LTD. LLP, for the Extend Taxiway A North & South Ends project in the amount of \$6,974,681.40 plus a \$697,468.60 contingency, for a total contract amount not to exceed \$7,672,150.
(Notes: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Procurement) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 14.38% DBE participation.)
8. Authorize execution of a change order to the construction contract with SMITH CONTRACTING CO., INC., for utility and general right-of-way improvements to Davis/Deer Lane from Brodie to Corran Ferry project, in the amount of \$382,263.11 for a total contract amount not to exceed \$4,882,304.11.

Emergency Medical Services

9. Authorize negotiation and execution of an agreement between the City and the COMMUNITY CARE COLLABORATIVE to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries for a fee of \$696,822, for an initial term of one year beginning October 1, 2013.

Fire

10. Approve an ordinance establishing specialized functions, certifications and assignments for firefighters within the Fire Department; establishing requirements and criteria for additional pay; and repealing Ordinance No. 020926-13 relating to specialty pay in the Fire Department.

Health and Human Services

11. Approve an ordinance authorizing acceptance of \$37,596 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2013-2014 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001), to appropriate \$37,596 for programs authorized under the Texas Health and Safety Code: Office of Public Health Practice Program, HIV Surveillance Control Program, Sexually Transmitted Disease Control, Refugee Health Screening Program, Tuberculosis (TB) Prevention and Control Federal Program, TB Prevention and Control State Program, Public Health Emergency Preparedness Program, Immunization Program and Community Diabetes.

Parks and Recreation

12. Approve a resolution adopting the Austin Urban Forest Plan: a Master Plan for Public Properties as required under City Code Section 2-1-183(E).
13. Approve an exemption under City Code Section 10-6-3(11) to authorize one temporary designated smoking area at Auditorium Shores on March 13, 14, and 15, 2014, for the South by Southwest Music Festival.

Purchasing Office

14. Authorize award and execution of a 36-month requirements supply agreement with INGRAM LIBRARY SERVICES INC. to provide DVD and Blu-Ray videos in an amount not to exceed \$1,118,592 with three 12-month extension options in an amount not to exceed \$372,864 per extension option, for a total contract amount not to exceed \$2,237,184.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
15. Authorize award and execution of a 24-month requirements supply agreement with two 12-month extension options with BRENNTAG SOUTHWEST, INC., for the purchase of liquid ammonium sulfate for the Austin Water Utility in an amount not to exceed \$145,280 with two 12-month extension options in an amount not to exceed \$72,640 per extension option, for a total contract amount not to exceed \$290,560.
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)
16. Authorize award, negotiation, and execution of a 6-month interlocal

agreement between the City and the Capital Area Council of Governments for digital aerial imagery in an amount not to exceed \$54,946.

(Notes: This Interlocal Agreement is exempt from the MBE/WBE Ordinance. This exemption is in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

Transportation

17. Approve an ordinance amending City Code Section 12-4-64(D) to add a segment of Manor Road to the table of streets as having a maximum speed limit of 20 miles per hour, during certain times, for students attending Austin Achieve School; and provide for emergency passage.

Item(s) from Council

18. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
19. Approve an ordinance waiving or reimbursing certain fees for the “Hamlet” performances sponsored by Something for Nothing Theater which are to be held on May 22-24, 2014, May 29-31, 2014, and June 5-7, 2014, at Ramsey Neighborhood Park.
(Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)
20. Approve an ordinance waiving or reimbursing certain fees for the 2014 Marathon Kids Finisher Medal event sponsored by Marathon Kids which was held Saturday, February 22, 2014 at Toney Burger Stadium.
(Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)
21. Approve a resolution directing the City Manager to conduct a stakeholder process to consider changes to the sidewalk café regulations, including associated fees, processes, and use of permits instead of license agreements, and bring a report outlining any changes and recommended code amendments back to Council within 90 days.
(Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole)
22. Approve a resolution directing the City Manager to work with appropriate stakeholders to research the feasibility of a Major League Soccer franchise locating in Austin.
(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member William Spelman)

23. Approve a resolution directing the City Manager to provide Council with written quarterly Code Compliance reports that provide activity and output-based metrics, to develop outcome-based performance measures for inclusion in the annual budget documents for the Code Compliance Department, and to provide the performance measures to City Council.
(Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison)
24. Approve a resolution creating an Austin Generation Resource Planning Task Force to examine and make recommendations regarding the 2014 update to Austin Energy's Resource, Generation, and Climate Protection Plan.
(Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)
25. Approve a resolution directing the City Manager to consider the tenets of the Imagine Austin Comprehensive Plan, keep the community actively informed and engaged throughout the process, and keep as a priority improved east-west connectivity when discussing the potential alternatives for I-35 corridor improvements.
(Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)
26. Approve a resolution directing the City Manager to coordinate with the City Clerk and the City Attorney to schedule a Special Called Meeting on one Saturday in 2014 for a three-hour Citizens Forum.
(Notes: SPONSOR: Council Member Kathie Tovo CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez)

Item(s) to Set Public Hearing(s)

27. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 to create a Lake Austin (LA) District Zoning overlay extending environmental protections from the LA base zoning district to all properties within 1,000 feet of Lake Austin. (Suggested date and time: April 10, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #28.
28. Set a public hearing to consider an ordinance amending sections of City Code Chapters 25-2, 25-5, 25-7 and 25-8 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development. (Suggested date and time: April 10, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #27.

Non-Consent

12:00 PM - Citizen Communications: General

Jeff Crunk--Austin Energy Generation Plan

Adam Reposal--Art Acevedo

Kat Jones--Khabele School--Brodie Campus--expansion

Marlene Bell-Nwagboso--Homelessness

Debbie Russell--Police issues

Nelson Linder--City of Austin 2013 Financial Report

David Van Os--Austin Police Department

Tiféa L. Huey--My property no psychological projection, my fair trial, safety and harassment, cyberstalking La'Queala Request, Kay Bailey Hutchison, Sandra T. Henderson, Lloyd Doggett, John Cornyn, Military, Yale Professor/Technology

Ryan Nacol--Maximum number of unrelated persons allowed to stay in a short-term rental.

Brian McGiverin--Affordable housing

Executive Session

29. Discuss legal issues related to Open Government matters (Private consultation with legal counsel-Section 551.071 of the Government Code).
30. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel- Section 551.071 of the Government Code).
31. Discuss legal issues related to Austin Fire Department hiring process (Private consultation with legal counsel-Section 551.071 of the Government Code).

2:00 PM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

32. C14-2013-0083 - 2416 E. 6th Street - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East 6th Street (Lady Bird Lake Watershed) from limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. First reading approved on February 13, 2014. Vote: 6-0 (Mayor Pro Tem Cole-off the dais). Owner: 2416 East Sixth Street LP (M. Timothy Clark). Applicant: Big Red Dog - Austin, LLC (Bob Brown). City Staff: Heather Chaffin, 512-974-2122.

33. C814-88-0001.10 - Canyons @ Rob Roy Rezoning - Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. First Reading approved on January 30, 2014. Vote: 7-0. Second Reading approved on February 13, 2014. Vote: 6-0, Mayor Pro Tem Cole off the dais. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719. City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

34. C814-88-0001(RCA) - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Zoning and Platting Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.
35. C14-2012-0067(RCT) - La Estancia del Rio Restrictive Covenant Termination - Conduct a public hearing to terminate a restrictive covenant on property locally known as 1700 ½ Frontier Valley Drive (Carsen Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner: Standard Pacific Homes of Texas, Inc. (Jay Byler). Applicant: Big Red Dog Engineering (Nicholas Kehl, PE). City Staff: Lee Heckman, 512-974-7604.
36. C14-2013-0107 - 600 Kemp Street - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 600 Kemp Street (Country Club West Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Planning Commission Recommendation: To deny townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Owner: Kemp Street Properties,

LLC. Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 512-974-7604.

37. C14-2013-0136 - Austin Elm Terrace, LP - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough South Watershed) from unzoned (UNZ) and family residence (SF-3) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on March 25, 2014. Owner/Applicant: Austin Elm Terrace, LP (Steve Beuerlein). Agent: Husch Blackwell, LLP (Jerry L. Harris). City Staff: Sherri Sirwaitis, 512-974-3057.

3:00 PM - Austin Housing and Finance Corporation Meeting

38. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://austin.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=537&doctype=Agenda>)

4:00 PM - Public Hearings and Possible Actions

39. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code.
40. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of a new single-family residence and a second dwelling at 5505 Jim Hogg Avenue as requested by the owner of the property. The property is partially in the 25-year floodplain and entirely in the 100-year floodplain of the Hancock Branch of Shoal Creek.
41. Conduct a public hearing and consider approving the Master Plan for Holly Shores/Edward Rendon Sr. Park at Festival Beach, Fiesta Gardens as developed in conjunction with Michael Van Valkenburgh & Associates, Inc. and the Austin Parks and Recreation Department. The Master Plan area includes approximately 9 acres of newly dedicated parkland and approximately 90 acres of existing parkland along the north shore of Lady Bird Lake from I-35 east to Pleasant Valley Road and south of Canterbury Street.

5:30 PM - Live Music

Little Brave

5:30 PM - Proclamations

Proclamation -- Narcolepsy Awareness Day/Suddenly Sleepy Saturday -- to be presented by Mayor Lee Leffingwell and to be accepted by Kanika Nicholson

Proclamation -- OnRamp Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Chad Kissinger and Lucas Braun

Proclamation -- Del Valle ISD Fine Arts Festival -- to be presented by Mayor Lee Leffingwell and to be accepted by Jenny Parry

Adjourn

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Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.